

REMARKS

Entry of the amendments is respectfully requested. Claims 16-58 have been withdrawn. Claims 1, 10, 12, and 59 have been amended. Claim 68 has been canceled. New claim 69 has been added. Claims 1-67 and 69 are pending in the application. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and the remarks that follow.

1. Claim Objection

In the Office Action, the Examiner objected to claim 12 because of certain informalities. The appropriate correction has been made, whereby all such issues are resolved.

2. Claim Rejections Under 35 U.S.C. §112

In the Office Action, the Examiner has rejected claim 10 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant herein amends claim 12, obviating the rejection.

3. Claim Rejections Under 35 U.S.C. § 102

A. Claims 1-3, 5, 7, 11-15, 59, 60, 62, and 64-67

In the Office Action, claims 1-3, 5, 7, 11-15, 59, 60, 62, and 64-67 were rejected under 35 U.S.C. §102(b) as being anticipated by Bernard et al., U.S. Pat. No. 3, 279,669 ('669).

B. Claims 1, 5- 7, 11-15, 59, and 60-67

In the Office Action, claims 1, 5- 7, 11-15, 59, and 60-67 were rejected under 35 U.S.C. §102(b) as being anticipated by Seufer, U.S. Pat. No. 5,816,466 ('466).

C. Claims 1-2, 4, 8, 10, and 59

In the Office Action, the Examiner has rejected claims 1-2, 4, 8, 10, and 59 under 35 U.S.C. §102(b) as being anticipated by Gerould, U.S. Pat No. 3,675,837 ('837).

Applicant herein amends independent claims 1 and 59, obviating all such rejections. Claim 1 now recites, *inter alia*, that the **drive roll is wider than the wire guide**. None of the references of record disclose such a feature. To the contrary, it is noted that all of the cited references teach away from a wire guide that is narrower than the drive roll(s). The '669 patent and the '466 patent disclose requisite lateral plates or other lateral retaining structures that ***extend outwardly beyond both sides of the drive rolls***. To modify the structures to the '699 and '466 patent to be narrower would than their respective would compromise the integrity of their lateral sidewalls, whereby such devices would each be axially separated or split into two distinct segments. That would violate the express stated purposes of the '669 and '466 patents of providing continuous lateral support structures.

The '837 patent discloses a multi-component wire guide that has two axially aligned wire guide segments. The wire guide segments are substantially wider than the drive rolls (FIGS. 2 and 6). Their respective, e.g., width dimension(s) and other configurations are specifically selected since various ones the wire guide components cooperate to supports and mount other components of the drive assembly, to arrive at the subassembly that moves "as a unit subject to the bias of the springs 46 (Col. 2, Line 14). The wire guides disclosed in the '837 patent cannot be narrower than the drive rolls, as that would compromise the integrity of such subassembly or unit configuration, by creating non-desired, overly large clearances in the assembly.

It is therefore believed that amended claim 1 is allowable as being novel and non-obvious over the cited references.

Correspondingly, claims 2-15 are allowable as depending from allowable claim 1, directly or indirectly, and each on its own merits. For example, claim 4 further recites a receptacle defining a generally conical cavity, which is not taught, suggested, or otherwise disclosed in the cited references.

Amended claim 59 now recites, *inter alia*, that the wire guide has **a reduced width dimension adjacent the aperture**. The cited references do not and cannot disclose a wire guide with **a reduced width dimension adjacent the aperture**. The 669 patent, the '466 patent, and the '837 patent all teach wire guides having constant width dimension along their lengths. Such configuration is required because they are specifically configured to nest the drive rolls within their respective width dimensions.

It is therefore believed that amended claim 59 is allowable as being novel and non-obvious over the cited references.

Correspondingly, claims 60-67 are allowable as depending from allowable claim 59, directly or indirectly, and each on its own merits. For example, claim 64 further recites that the width of the aperture is generally limited to no more than about 3 times a diameter of the elongate bore

4. New Claims

New claim 69 is generally commensurate with claims 1 and 59, whereby the above arguments relating to claims 1 and 59 are applicable. However, claim 69 further recites, *inter alia*, the wire guide having a transverse cross-section with a ***height dimension that is greater than the diameter of the weld wire, adjacent the aperture***. Applicant respectfully points out that, e.g., the '699 patent expressly teaches away from such height being greater than the weld wire diameter in stating that "*the thickness of the portions 26 of the guide member 10 located between the feed rolls 13 should **be less than the diameter of the electrode** 15* so as not to interfere with the efficiency of traction . . . (Col. 4, Lines 54-57, emphasis added).

CONCLUSION

It is submitted that claims 1-15, 59-67, and 69 are in compliance with 35 U.S.C. §§ 102, 103, and 112 and each defines patentable subject matter. A Notice of Allowance is therefore respectfully requested.

Serial No. 10/820,997

Art Unit: 3654

Page 17

No fees are believed to be payable with this communication. Nevertheless, should the Examiner consider any other fees to be payable in conjunction with this or any future communication, the director is authorized to charge any fee or credit any overpayment to Deposit Account No. 50-1170.

The Examiner is invited to contact the undersigned by telephone if it would help expedite the prosecution and allowance of this application.

Respectfully submitted,



Eric J. Lalor

Registration No. 54,631

ejl@boylefred.com

Dated: 8/24/2007

USPTO Customer No. 23598

Boyle Fredrickson, S.C.

840 North Plankinton Avenue

Milwaukee, WI 53203

Telephone: (414) 225-9755

Facsimile: (414) 225-9753